

**Town Council Minutes
Morehead City, North Carolina**

Tuesday, August 13, 2013

The Honorable Council of the Town of Morehead City met in Regular Session on Tuesday, August 13, 2013, at 5:30 p.m., in the Municipal Chambers located at 202 South 8th Street, Morehead City, North Carolina. Those in attendance were:

MAYOR:	Gerald A. Jones, Jr.
MAYOR PRO-TEM:	Harvey N. Walker, Jr.
COUNCIL:	George W. Ballou [Absent]
	Bill Taylor
	Demus L. Thompson
	Diane C. Warrender
CITY MANAGER:	David S. Whitlow
CITY CLERK:	Jeanne M. Giblin
CITY ATTORNEY'S OFFICE:	Nelson W. Taylor, III; Derek Taylor; Mike Thomas
OTHERS:	Corinne Geer; Mark Hibbs, Reporter, The

Carteret News Times; Tom Kies; Police Captain Bernette Morris; Police Lt. James Gaskill; Antonio Prioleau; Linda Prioleau; Sidney Horton; Maggie Chalk; Planning Director Linda Staab; Finance Director Ellen Sewell; Police Chief Wrenn Johnson; John Nelson; Holly Fletcher; Public Works Director David McCabe; Roger Kilpatrick; David Miller; Jim Bailey; Bruce Wade; Craig K. Hassler; Bill Forman; Chuck Sewell; Jane Sewell; Gail Williams; Sam Williams; Ronetta Gaskill and several others

I. Regular Meeting Call to Order

Mayor Jones opened the meeting at 5:30 p.m., and announced that Commissioner Ballou would not be in attendance due to illness. Councilman Thompson gave the invocation, and all joined in The Pledge of Allegiance.

AGENDA AMENDMENTS

Mayor Jones announced that the City received a request from Jim Bailey, one of the applicants on behalf of Crystal Coast Holdings, LLC, to postpone the public hearing for Oceanside Yacht Club Revised Sketch Development Plan for Ocean until the next Council Meeting on September 10, 2013. *[CLERK'S NOTE: Applicant was not ready to continue this item and did not appear at the September 10, 2013 Council Meeting.]*

Mayor Jones also requested that recognition for Finance Director Ellen Sewell for the CAFR Award [Certificate of Achievement in Financial Reporting] be placed under Special Presentations.

Councilman Taylor MOVED, seconded by Councilman Walker, and carried unanimously [Councilman Ballou absent], to amend the AGENDA as described.

II. Special Presentations:

II.A. Resolution of Appreciation 2013-27 to Corporal Antonio Prioleau upon his Retirement from the Morehead City Police Department

Antonio Prioleau began his career as a Morehead City Reserve Police Officer in 1988, was subsequently hired as a full-time Police Officer and is retiring with the rank of Corporal. Throughout his twenty-five year relationship with the Morehead City Police Department, Antonio Prioleau has held either a full time or reserve position and has never severed his ties. Mayor Jones presented Antonio with the Resolution of Retirement. The City wished him well and congratulated him upon his retirement.

Mr. Prioleau introduced his wife, Linda, and said he looked forward to many more years as a Reservist with the Morehead City Police Department.

II.B. Resolution of Appreciation 2013-28 to Bruce Wade upon his Retirement from the Morehead City Public Works Department

Bruce Wade retired from the Morehead City Public Works Department with more than fifteen years of dedicated service. He began his career as a Street Maintenance I and was promoted to Equipment Maintenance Supervisor in 1999, a position held until retirement. Mr. Wade thanked the City for his career and said it was a pleasure to work for the citizens. The City wished him well and congratulated him upon his retirement.

II.C. Award of Certificate of Achievement for Morehead City Comprehensive Annual Financial Report and Award of Financial Reporting Achievement to Finance Director B. Ellen Sewell

City Manager Whitlow reported that the Certificate of Achievement for Excellence in Financial Reporting was awarded to the Town of Morehead City by the Government Finance Officers Association of the United States and Canada for its comprehensive annual financial report [CAFR]. This is the 23rd year that Morehead City has been a recipient of this honor. This certificate is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by a government and its management. He commented that Finance Director Ellen Sewell and her Department deserve congratulations on this significant achievement. The Council also deserves recognition for allowing Morehead City to participate in the program as less than 1 percent of units of Morehead City's size [less than 10,000 in population] participate.

Finance Director Sewell stated that her staff and the other departments also contribute to make the process work. She thanked the City Manager and Council for allowing the City to participate in the program.

III. Adoption of the CONSENT AGENDA

III.A. Approval of Minutes: Tuesday, July 9, 2013, Regular Meeting Wednesday, July 17, 2013, Special Meeting

Approved the minutes of Tuesday, July 9, 2013, Regular Meeting and Wednesday, July 17, 2013, Special Meeting and dispensed with the reading.

III.B. Approve Requests for Release of Overpayment of Ad Valorem Taxes for July 2013, in the Amount of \$0; and Accept the Finance Director and Tax Collector Reports for July 2013

There were no requests for release of overpayment of ad valorem taxes for July 2013. The Council accepted the Finance Director and Tax Collector Reports for July 2013.

III.C. Adopt Resolution of Retirement 2013-27 in Appreciation to Corporeal Antonio Prioleau upon his Retirement from the Morehead City Police Department on August 1, 2013

Adopted Resolution of Retirement 2013-27 in Appreciation to Corporeal Antonio Prioleau upon his retirement from the Morehead City Police Department on August 1, 2013. [Resolution 2013-27 is attached to and made a part of these minutes by reference.]

III.D. Adopt Resolution of Retirement 2013-28 in Appreciation to Bruce Wade upon his Retirement from the Morehead City Public Works Department on August 1, 2013

Adopted Resolution of Retirement 2013-28 in Appreciation to Bruce Wade upon his retirement from the Morehead City Public Works Department on August 1, 2013. [Resolution 2013-28 is attached to and made a part of these minutes by reference.]

III.E. Approval of the Extension of Current Lease for Crystal Coast Ferry Service for Dock and Ticket Booth Space located at South 6th Street on the Morehead City Waterfront for One [1] Year

A request for extension of the current lease for the Crystal Coast Ferry Service was discussed at the recent Public Works Committee of the Council Meeting. The ferry service currently leases a small space on the dock located within the South 6th Street right-of-way

for a ticket booth and the right to access ferries from the City's day dock located within the South 6th Street riparian corridor. The term for the lease is through July 31, 2014, with the rent set at \$100 per month. The Public Works Committee recommended approval of a one [1] year extension of the lease.

Approved the extension of current lease for Crystal Coast Ferry Service for dock and ticket booth space located at South 6th Street on the Morehead City Waterfront with a rent of \$100 per month for one [1] year. [The lease agreement is attached to and made a part of these minutes by reference.]

III.F. Re-adopt Carteret County Comprehensive Transportation Plan Map

A corrected copy of the Carteret County Comprehensive Transportation Plan Map was presented. The correction is the addition of the symbol for an interchange at the intersection of the Beaufort/Morehead City Causeway and Marine Drive located on Radio Island. The symbol was inadvertently left off the original previously approved map. It is necessary to readopt the map prior to its review by the Board of Transportation.

Re-adopted the Carteret County Comprehensive Transportation Plan Map as presented.

Councilman Thompson MOVED, seconded by Councilwoman Warrender, and carried unanimously [Councilman Ballou absent], to adopt the CONSENT AGENDA in one [1] motion.

IV.A. Public Hearing: Request from Stroud Engineering, on behalf of Crystal Holdings LLC, for Revised Sketch Development Plan Approval for Oceanside Yacht Club located at Olde Towne Yacht Club Drive and Marine Drive, Beaufort, and known as Tax PIN #639500696558000—Adopt Ordinance 2013-31

At the request of the applicants, this item was postponed until the next Council Meeting [September 10, 2013]. **[CLERK'S NOTE: Applicant was not ready to continue this item and did not appear at the September 10, 2013 Council Meeting.]**

IV.B. Public Hearing: City-initiated Request to Amend or Delete sections of the Sign Ordinance, Specifically, Article 19-6.2 (Operation of electronic message boards/digital marquee signs and position of changeable copy signs in relation to rights-of-way), Article 19-7 to allow Modification of Nonconforming Billboard Signs to Hurricane Frame Type, Article 19-8.1 (Displaying of temporary signs on accessory outdoor displays), Article 19-8.4 (Temporary, directional real estate signs), and 19-14.2 (Clearance from bottom of flags to the ground for nongovernmental flags) – Adopt Ordinance 2013-30

Planning Director Staab reported that at the May, 2013, Planning Board meeting staff requested volunteers to serve on a committee to review the sign ordinance for possible updates. Jackie Maucher, John Creech and Tom Saunders volunteered. There have been three [3] meetings of the committee and the following changes are presented to the Planning Board for consideration:

- 1) Amend Article 19-6.2(A) by removing the scrolling option for electronic message boards/digital marquee signs and specifying how the changes may be made and providing a minimum hold-time for a display.
- 2) Amend Article 19-6.2 by adding (H) which would discontinue allowing installation of changeable copy signs parallel with a road. This due to the safety hazard of people slowing to read them.
- 3) Amend Article 19-7 by adding 19-7.5 to allow modification of nonconforming billboards to hurricane frames for public safety.
- 4) Amend Article 19-8.1 by adding (D) to address businesses that place merchandise out and then display signs on the merchandise.
- 5) Amend Article 19-8.4 by adding (C) to allow for temporary, real-estate directional signs at intersections.
- 6) Amend Article 19-14.2(E) by removing (2) which requires a 10' clearance from the bottom of a non-governmental flag to the ground. This has been an issue with feather-

flags.

The Planning Board Meeting was advertised to receive public comment and the public hearing was scheduled for the August Council meeting.

At the Planning Board Meeting on July 16, 2013, Gordon Thayer made the MOTION, seconded by Tom Saunders, and carried unanimously to recommend approval of the ordinance amendment.

Mayor Jones opened the public hearing.

Allen Leary, a realtor with Newsom Ball Century 21, commented the he worked with the Planning Board to get sign exposure the way it should be. They tried to accommodate the desire for advertising yet temper that need with an aesthetic component. Mr. Leary stated he appreciated working with the Planning Staff and thanked the City Council for their cooperation.

Mayor Jones closed the public hearing.

Councilman Thompson reminisced about former Councilman John Nelson [who was present in the audience] who had always complained about the plethora of real estate signs on properties. This ordinance will help to alleviate that situation.

Councilman Thompson MOVED, seconded by Councilman Taylor, and carried unanimously [Councilman Ballou absent], to adopt Ordinance 2013-30 granting the City-initiated Request to Amend or Delete sections of the Sign Ordinance, Specifically, Article 19-6.2 (Operation of electronic message boards/digital marquee signs and position of changeable copy signs in relation to rights-of-way), Article 19-7 to allow Modification of Nonconforming Billboard Signs to Hurricane Frame Type, Article 19-8.1 (Displaying of temporary signs on accessory outdoor displays), Article 19-8.4 (Temporary, directional real estate signs), and 19-14.2 (Clearance from bottom of flags to the ground for nongovernmental flags). [Ordinance 2013-30 is attached to Ordinance Book #7 in the vault.]

V.A. New Business: Review of Charles Wallace Site Plan – Bearing Point Consulting

City Manager Whitlow reported that work on the Charles Wallace Site Plan has continued with the most recent activity being a follow up review of the plan by the Public Works Committee. Bearing Point Consulting, the architectural firm on this project, has reviewed and incorporated comments received from input meetings including comments received from Council Members. The recommendation from the Public Works Committee was to have Bearing Point Consulting representatives present the project plans to the entire Council.

Bill Forman on behalf of Bearing Point Consultants in Morehead City made a brief presentation. He stated that his company teamed up with the Sears Design Group of Raleigh, N.C. to complete a site plan for the Charles Wallace property. This site plan was only for the site improvements and had nothing to do with the Charles Wallace building except for consideration of what it may be used for in the future. The building was constructed in 1929 and finished in 1930 and was always used as a school. The long range plan for the site is for a municipal government campus. At the public meeting on January 28, 2013, elements important to the school alumni, school advocates, public and historic preservation interests were reviewed and discussed. Input from both the public and the City were detailed. Mr. Forman demonstrated on a map the storm drainage, parking, landscaping and other features of the site. The probable costs were also presented.

Councilwoman Warrender questioned how long it would take to construct the site as presented as she had concerns about the Cape Lookout School's ability to continue use of the building during construction of the site.

Mr. Forman replied about six [6] months.

Councilman Taylor questioned how remodeling of the Charles Wallace School building could be accomplished when essentially all the landscaping was in place.

Mr. Forman replied that the prudent way would be to do the building improvements first before attempting the improvements to the site.

Councilman Thompson questioned that perhaps it would be best to just concentrate on constructing the new site plan improvements on the front portion of the property that faces Bridges Street.

Mr. Forman replied that may be a possibility as the front area of the property could be restricted and not used for construction purposes and there are basically three different phases of planting shrubs on the proposed site plan.

Mayor Jones commented that simple improvements to the front of the site may be possible before the building improvements were begun.

V.B. New Business: Board of Adjustment Appointments

A total of six [6] terms are expiring in August 2013, including two [2] In-City Members, two [2] In-City Alternates, one [1] ETJ Member and one [1] ETJ Alternate position. Dave Robertson and Dick Gambill wish to continue serving, James Walker has reached his maximum term limits, Bill Ward and Joe Green no longer wish to serve, and Terry Senich recently moved from the City limits to the ETJ. Planning Director Staab noted that geographical distribution and member diversity also need consideration when selecting new members.

The recommendations from the Planning Committee of the Council at their meeting held on July 31, 2013, was:

- Dave Robertson will remain as an In-City Member.
- Dick Gambill will move from an Alternate seat to the remaining In-City seat.
- Trey McCarther will be appointed to an In-City Alternate seat.
- Sally Lumpkin will be appointed to an In-City Alternate seat.
- Tripp Mudge will move from an ETJ Alternate seat to an ETJ Member seat.
- Terry Senich will be appointed to an ETJ Alternate seat.
- Diane Gagnon will be appointed to an ETJ Alternate seat.

Mayor Jones asked for further nominations.

Councilman Walker nominated Luther Tootle for an ETJ Alternate seat.

Councilman Thompson MOVED, seconded by Councilman Walker, and carried unanimously [Councilman Ballou absent], to close the nominations.

The Council voted by ballot. The results of the vote were as follows:

Councilwoman Warrender: Dave Robertson, Dick Gambill, Trey McCarther, Sally Lumpkin, Tripp Mudge, Terry Senich, Luther Tootle

Councilman Taylor: Dave Robertson, Dick Gambill, Trey McCarther, Sally Lumpkin, Tripp Mudge, Diane Gagnon, Luther Tootle

Councilman Walker: Dave Robertson, Dick Gambill, Trey McCarther, Sally Lumpkin, Tripp Mudge, Terry Senich, Luther Tootle

Councilman Thompson: Dave Robertson, Dick Gambill, Trey McCarther, Sally Lumpkin, Tripp Mudge, Terry Senich, Luther Tootle

The Council, [Councilman Ballou absent], appointed Dave Robertson and Dick Gambill as In-City Members; appointed Trey McCarther and Sally Lumpkin as In-City Alternate Members; recommended to the Carteret County Board of Commissioners

to appoint Tripp Mudge as ETJ [Extraterritorial Jurisdiction] Member; and Terry Senich and Luther Tootle as ETJ Alternate Members.

V.C. New Business: Adopt Budget Ordinance Amendment 2013-32 to Adjust the General Fund Budget for Expenditures related to the Police Department Governor's Highway Safety Program and Central Services for the Municipal Building Roof Replacement

City Manager Whitlow reported that the purpose of this amendment was to adjust the budget as follows:

- Reduce restricted intergovernmental revenue and Police Department expenditures related to a Governors Highway Safety Grant application. Contingency is increased for the change in the City's share of the budgeted and application amounts of the project cost.
- Increase the Central Services budget by \$30,000 related to replacement of the roof on the west side of the Municipal Building. Unassigned fund balance (from amounts unspent in the prior year) is appropriated to fund the expenditure.

Councilwoman Warrender MOVED, seconded by Councilman Taylor, and carried unanimously [Councilman Ballou absent], to adopt Budget Ordinance Amendment 2013-32 to adjust the General Fund Budget for expenditures related to the Police Department Governor's Highway Safety Program and Central Services for the Municipal Building roof replacement. [Budget Ordinance Amendment 3013-32 is attached to Ordinance Book #7 in the vault.]

V.D. New Business: Award the Bid for the Jib Plaza Observation Deck to the Low Bidder, T.D. Eure Construction of Beaufort, N.C. in the amount of \$83,900

Mayor Jones reported that at the July Public Works Committee of the Council meeting the bids received for the construction of the observation deck located at the Jib property project were reviewed and discussed. The observation deck is a grant funded project which will be located immediately against the outside of the bulkhead located next to Capt. Bills Restaurant. The deck is 12' wide and 128' long and can serve as a landing/entrance onto Otis' Landing. The bids were within budget and were as follows:

T.D. Eure Construction	\$83,900
Bogue Banks Marine Construction	\$90,800

The low bid was from T. D. Eure Construction of Beaufort, N.C. in the amount of \$83,900. City staff reviewed the project budget and found the amount of the low bid within the available project funding. The Committee recommended awarding the Observation Deck work to the low bidder.

Councilman Thompson MOVED, seconded by Councilman Walker, and carried unanimously [Councilman Ballou absent], to award the Bid for the Jib Plaza Observation Deck to the Low Bidder, T.D. Eure Construction of Beaufort, N.C. in the amount of \$83,900.

Mayor Jones introduced Maggie Chalk, the architect on the project, and Downtown Morehead City Revitalization Association Director Tom Kies, who made a brief presentation on the sale of the bricks for the walkway around the marlin statue.

VI. Citizen Requests/Comments [2 minute time limit]

Corinne Geer thanked Morehead City for extra kindness shown to citizens especially by the City Clerk and the Public Works Department.

Craig Hassler of 1904 Arendell Street, Morehead City requested clarification of the law on bicycling, walking across the Morehead City/Atlantic Beach high rise bridge and sitting on the beach at the end of streets. He reported his instances with the Morehead City Police Department and his near misses with vehicles while bicycling. He spoke about

his inability to pay for water/sewer service and the loss of such. Currently he stated he was using cistern water and composting human waste.

Former Councilman John Nelson thanked the current Council for doing a good job. He commented that he met with Sam Guthrie, the man who was instrumental in getting the 13 live oak trees planted on the front portion of the Charles Wallace School site. It was done by a 7th grade class as a project.

VII. City Manager Report: Nothing at this time.

VIII. Council Requests/Comments:

The Council thanked the audience for their attendance.

IX. CLOSED SESSION per G.S. 143.318.11[a][3][5] to Approve the CLOSED SESSION Minutes of Tuesday, June 11, 2013 and Tuesday, July 9, 2013; to Receive an Update on the Martin vs. Town of Morehead City Litigation; and to Discuss Fire/EMS District Contract with the City Attorney

Councilman Walker MOVED, seconded by Councilwoman Warrender, and carried unanimously [Councilman Ballou absent] to enter into CLOSED SESSION.

Councilman Taylor MOVED, seconded by Councilman Thompson, and carried unanimously [Councilman Ballou absent] to return to OPEN SESSION.

Councilman Thompson MOVED, seconded by Councilman Walker, and carried unanimously [Councilman Ballou absent] to approve and seal the CLOSED SESSION MINUTES of Tuesday, July 9, 2013.

There being no further business, the meeting was adjourned at 7:30 p.m.

Gerald A. Jones, Jr., Mayor

Attest:

Jeanne M. Giblin, City Clerk